

COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, June 16, 2020

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Kai Hagen, Jessica Fitzwater, Phil Dacey and Steve McKay were present for the meeting.

Also present were Bryon Black, County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m. virtually via video conference.

Opening Statement from Council President M.C. Keegan-Ayer

Good Evening and welcome to the virtual meeting of the Frederick County Council. Today is Tuesday, June 16, 2020, and although normally the second Tuesday of the month is a workshop day, today is a legislative day for the County Council.

The Frederick County Council is still conducting our meetings on-line during this time and this may continue for the foreseeable future due to concerns about the spread of the COVID virus.

Our meetings continue to be televised on Frederick County Government Channel 19, on Frederick County Government's website: www.FrederickCountyMD.Gov/FCGTV, and as long as we continue to meet virtually, we will be using a software program which allows the public to watch and participate in our meetings. Please go to www.frederickcountymd.gov/councilmeetings in order to watch us on that format.

You may still send us comments via email at (Councilmembers@frederickcountymd.gov), or by calling (301) 600-1135 and leaving a voicemail message. Or using our new format, you may call toll free 855-925-2801 and enter meeting code 8365 to record your comments. As always, all comments received will be reflected in the minutes.

As a reminder during these virtual meetings, I will periodically stop to allow the members to ask any questions they might have on the issue being discussed...calling the council members by name to make sure the public is aware of which member has the floor.

As a continued caution to our Council Members – Please be respectful of each other's time and wait to be recognized before you begin to speak. Remember the microphone issue and please limit your questions to one at a time. I will continue to circle back until all questions appear to be answered.

To begin our meeting, the President started with a roll call vote to determine a quorum, since not everyone was visible on the screen. Members present responded "here".

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CM Blue, Dacey, Donald, Fitzwater, Hagen, and McKay. The President conducted a roll call of the members. All seven (7) council members responded in the affirmative.

The President then lead a moment of silence to remember those who were working so hard to contain the deadly disease, all those working on the front lines, the doctors, nurses, hospital staff, the emergency responders, the families and friends of those who have been sickened and were fighting for their lives, and unfortunately those who have lost their battle and have died..

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- William Compton

Business Items:

Budget Adjustments

J-20-287 – Accounting, Finance Division and Board of Education School Construction Amendment #20-13

J-20-293 – Housing and Community Development, Citizens Services Division

J-29-296 – Utilities and Solid Waste Management Division

J-20-297 – Utilities and Solid Waste Management Division

J-20-299 – Emergency Communications, Emergency Management Division

J-20-302 – Child Advocacy Center, Citizens Services Division

J-20-303 – Frederick County Public Libraries

J-20-304 – Emergency Communications, Emergency Management Division

Board of Education Current Expense Fund Amendment #2-20

Council Member Jessica Fitzwater moved to approve Budget Adjustments J-20-287, J-

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20-293, J-20-296, J-20-297, J-20-299, J-20-302, J-20-303, J-20-304 and Board of Education Current Expense Fund Amendment #2-20 as presented. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Approval of Minutes from May 26, and June 2, 2020

Council Member Steve McKay moved to approve the minutes from May 26, and June 2, 2020 as presented. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Confirmation of County Executive's Appointments to Boards and Commissions

Joyce Grossnickle, Administrative Officer, briefed the Council on the Confirmation of County Executive's Appointments to Boards and Commissions.

Agriculture Business Council

Council Member Jerry Donald moved to approve H. Richard Bittner, Tim Pry and Jon Sewell to the Agriculture Business Council to terms as presented by staff. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		

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District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Ethics Commission

Council Member Jerry Donald moved to approve Ernest Heller and Stephen Hess to the Ethics Commission to terms as presented by staff. Council Member Kai Hagen the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Other Post Employee Benefits Investment Committee

Council Member Jerry Donald moved to approve Diane Fox to the Other Post Employee Benefits Investment Committee to terms as presented by staff. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Senior Services Advisory Board

Council Member Jerry Donald moved to approve Pat Althardt and Bud Otis to the Senior Services Advisory Board to terms as presented by staff. Council Member Steve McKay seconded the motion that passed 7-0.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Transportation Services Advisory Council

Council Member Jerry Donald moved to approve Jamie McKay to the Transportation Services Advisory Council to terms as presented by staff. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Veterans Advisory Council

Council Member Jerry Donald moved to approve Wilfred Plumley, Jr. to Veterans Advisory Council to terms as presented by staff. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

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Approval of FY21 Frederick Community College Budget

Kelly Weaver, Budget Director, presented information to the Council on the FY21 Frederick Community College Budget.

Council Member Jessica Fitzwater moved to approve the FY21 Operating budget of \$52,656,380, FY21 Auxiliary Enterprise budgets and the FY21 CIP budget of \$8,507,720 for the FY21 Frederick Community College Budget. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Surplus Property Declaration - Knowledge Farms Remainder Parcel

Robert Shen, Director Department Head, and Michelle Hurney, Facilities and Property Acquisitions Manager, Department of Engineering and Construction Management, Public Works Division; Wendy Kearney, Senior Assistant County Attorney, Office of the County Attorney and Jeremy Kortright, Division Director Parks and Recreation, presented information to the Council on the Surplus Property Declaration – Knowledge Farms Remainder Parcel.

Council Member Jerry Donald moved to approve the Surplus Property Declaration - Knowledge Farms Remainder Parcel and Resolution as presented. Council Member Jessica Fitzwater seconded the motion.

Council Members agreed to continue this discussion until after the Public Hearing portion of the meeting.

Council took a break from 6:55 p.m. to 7:05 p.m.

Public Hearing:

Charter Ballot Questions and Proposed Amendments

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A public hearing was held, as duly advertised, on the Charter Ballot Questions and Proposed Amendments.

Public comment was heard from:

- Robert White
- Brent Simmons
- Harry George

Council Member Jerry Donald moved to approve Closing the Public Hearing Comments on the Charter Ballot Questions and Proposed Amendments at 5:00 pm on June 17, 2020. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

First Reading Calendar:

Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts

Council Member Kai Hagen presented information to the Council on Amending Chapter 1-21 of the County Code (Forest Resource Ordinance) to Increase Forest Conservation Efforts.

Amending Chapter 1-19 of the County Code (Zoning Ordinance) to Update and Clarify Transportation, Environmental Resource Protection, and Historic Preservation Criteria on Rezoning Requests

Council Members Kai Hagen and Steve McKay presented information to the Council on Amending Chapter 1-19 of the County Code (Zoning Ordinance) to Update and Clarify Transportation, Environmental Resource Protection, and Historic Preservation Criteria on Rezoning Requests.

Revisions to the Frederick County Employees Retirement Plan: Addition of Pop Up Benefit Payment Option; Update to Actuarial Factors; Change in Consumer

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Price Index

Council President M.C. Keegan-Ayer, on behalf of Administration, presented information to the Council on the Revisions to the Frederick County Employees Retirement Plan: Addition of Pop Up Benefit Payment Option; Update to Actuarial Factors; Change in Consumer Price Index.

Revisions to Requirements for Accessory Dwelling Units (ADUs)

Council President M.C. Keegan-Ayer, on behalf of Administration, provided information to the Council on the Revisions to Requirements for Accessory Dwelling Units (ADUs).

Domestic Violence Coordinating Council

Council Member Jessica Fitzwater presented information to the Council on a Domestic Violence Coordinating Council.

Surplus Property Declaration - Knowledge Farms Remainder Parcel – Continued

The Council Members continued discussions on the Surplus Property Declaration – Knowledge Farms Remainder Parcel.

Council Member Jerry Donald moved to approve the Surplus Property Declaration - Knowledge Farms Remainder Parcel and Resolution as presented. Council Member Jessica Fitzwater seconded the motion that passed 4-3.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay		X	
District 4 – Fitzwater		X	
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen		X	
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Jake Sharika
- Kathleen Weaver
- Angela Weaver
- Eric Croft
- Ryan & Kelley Heilman
- Jessica Hunt & Family
- Manuel Nada

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- Scott Aderhold
- Amy Smith
- Jeff Pontius
- Lorrie Kneebone
- Michael Gilligan
- Leah Stout
- Chintimini Keith
- Michelle Dukes
- Sherry Fisher
- Richard Jefferies
- Katherine Esposito
- Sarah Jean-Jacques
- Matt Dwoskin
- Carey Murphy
- Tom & Carolyn Maher
- Patrice Gallagher
- Mary Mann
- Jaquie Murtah
- Brenda Merson
- Janene Ohin
- Gary Warren
- Robert Cole
- Kevin & Madelyn Hawk
- Paul Parsonneault
- Jerome & Sally Oden
- Michael Petrie
- Kenneth Moore
- Barbara Lawson
- Robert Smith

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 9:20 p.m.

M.C. Keegan-Ayer, President
County Council